

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

FLOYD EDWARD KOONTZ,)	CASE NO. C05-1119-TSZ-MAT
)	
Plaintiff,)	
)	
v.)	ORDER TO PLAINTIFF TO
)	PROVIDE CURRENT ADDRESS
REED HOLTGEERTS, et al.,)	
)	
Defendants.)	
_____)	

Plaintiff is proceeding *pro se* and *in forma pauperis* in this action pursuant to 42 U.S.C. § 1983. Defendants have filed a motion for summary judgment. (Doc. #34). Counsel for defendants has filed an affidavit stating that plaintiff's address is no longer current. (Doc. #37). Having considered the affidavit, and the balance of the record, the court does hereby find and Order as follows:

(1) Counsel states in her affidavit that plaintiff was released from the Regional Justice Center ("RJC") on March 28, 2006, before defendants filed their motion for summary judgment. (Doc. #37 at 1). Because she knew that plaintiff was no longer at the RJC, and that the RJC does not forward mail, counsel attempted to serve a copy of defendants' motion for summary judgment

ORDER TO PLAINTIFF TO
PROVIDE CURRENT ADDRESS
PAGE -1

01 on plaintiff by mailing it to his last known address prior to his incarceration. (Doc. #37 at 2).
02 Counsel further states that the attempt at service failed because the summary judgment motion was
03 returned to her by the U.S. Postal Service on April 20, 2006. (*Id.* at 2). To support her claim,
04 counsel attaches an exhibit to her affidavit showing the returned letter. (*Id.*, Ex. A).

05 Plaintiff is advised that under Local Rule CR 41(b)(2), a *pro se* party must keep the court
06 informed of his current address. If mail is returned because it is undeliverable, then plaintiff has
07 sixty days in which to inform the court of his address or face dismissal of his lawsuit. *See* Local
08 Rule CR 41(b)(2). Accordingly, plaintiff has until **June 20, 2006**, to comply with this rule by
09 sending the court his new address, or his lawsuit will be dismissed.

10 (2) The Clerk shall renote defendants' motion for summary judgment (Doc. #34) for
11 consideration on **June 23, 2006**, and shall send copies of this Order to plaintiff, to counsel for
12 defendants, and to the Honorable Thomas S. Zilly.

13 DATED this 15th day of May, 2006.

14 
15 Mary Alice Theiler
16 United States Magistrate Judge
17
18
19
20
21
22